



Gabon

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Gabon is a republic dominated by a strong presidency. Although opposition parties have been legal since 1990, a single party, the Gabonese Democratic Party (PDG), has remained in power since 1968 and has circumscribed political choice. Elections for the Presidency and the National Assembly generally have not been free and fair but have varied widely in quality; some suffered chiefly from poor organization, while others were fraudulent. PDG leader El Hadj Omar Bongo has been President since 1967 and was reelected for another 7-year term in 1998. The 1998 presidential and legislative elections were marred by irregularities. Members of the PDG and allied parties hold large majorities of seats in both chambers of the national legislature comprised of the directly elected National Assembly and the Senate, members of which are chosen by municipal and regional government officials. The December legislative elections were marred by numerous irregularities, and international observers reported that the elections were marked by organizational flaws and "insufficient and dysfunctional" application of the electoral law. At year's end, the final outcome of the elections had not been decided; runoff elections were pending for several seats. The judiciary is independent in principle but remained subject to government influence.

The national police, which is subordinate to the Interior Ministry, and the Gendarmerie, which is subordinate to the Defense Ministry, are primarily responsible for domestic law enforcement and public security. In addition elements of the armed forces and the "Republican Guard," an elite, heavily armed unit that protects the President, sometimes have performed internal security functions; both the armed forces and the Republican Guard are subordinate to the Defense Ministry. In February the President created a special "anti-gang" police unit, under the Interior and Defense Ministries, to fight rising crime in Libreville. Security forces conducted "sweep" operations intended to detain bandits. Members of the security forces occasionally committed human rights abuses.

The country's economy is underdiversified and heavily dependent on foreign trade; its population is approximately 1.2 million. The State dominates much of the economy through telecommunications, timber export, and oil refinery parastatals; however, the production of wood, oil, and minerals largely was private, and the water, electric, railroad, and sugar parastatals have been privatized. Efforts to privatize the telecommunications monopoly and the national airline have been slow. Government financial mismanagement and corruption have contributed to significant arrears in domestic and external debt payments. The oil industry generated nearly half of recorded gross national product; oil export earnings have allowed the country's citizens to enjoy a relatively high standard of living based on imports of consumer goods and have drawn to the country's capital, Libreville, a third of the country's citizens and many immigrants from poor African countries who work chiefly in the informal and service sectors. Average annual per capita gross domestic product was approximately \$3,800 (2,750,000 CFA francs), although income distribution remained heavily skewed in favor of urban dwellers and a small economic elite, while the rural population continued to receive relatively few social services. During the year, increases in oil prices and production boosted export earnings and state revenues; however, there is a downward projection for long-term oil production.

The Government's human rights record was generally poor in some areas, and some longstanding human rights abuses continued. The ability of citizens to change their government remained limited. Outstanding cases of extrajudicial killings by security forces remained unresolved. The security forces beat and tortured prisoners and detainees, prison conditions remained harsh and life threatening, arbitrary arrest and detention were problems, the judiciary remained subject to government influence, and authorities routinely infringed on citizens' privacy rights. The Government continued to restrict freedom of the press. On at least one occasion, police used excessive force to disperse a demonstration. Violence and societal discrimination against women were problems. Forced labor by foreign children as vendors and domestic workers remained a problem, and there were reports of trafficking in children.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There was at least one credible report of an extrajudicial killing by a member of the security forces. Outstanding cases of extrajudicial killings committed by the security forces in previous years are unlikely to be resolved.

In April a police officer chased, shot, and killed an unarmed 16-year-old street youth after an altercation between the boy and a taxi driver. Individuals who identified the body said that the bullet entered the boy's head at an angle that suggested he was kneeling when shot. Police detained, beat, and threatened at least two youths that witnessed the killing. There was no action taken against the police responsible for the killing by year's end, nor is any likely to be taken.

In June in Port Gentil, there were unconfirmed reports that gendarmerie and regular army troops killed as many as three persons while forcibly dispersing a demonstration by unemployed persons (see Sections 1.c. and 2.b.).

There were no developments, and there are unlikely to be any, in the following cases from 1999: The April case in which an off-duty member of the Republican Guard shot and killed a taxi driver who had refused to lend his taxi to the soldier; the July case in which a group of off-duty police officers reportedly killed 2 persons and injured 11 in a vendetta attack in a Libreville discotheque.

A small number of ritualistic killings reportedly were committed in anticipation of the December legislative elections. No official connection to the murders was established, and the Government publicly criticized the practice. No suspects were identified, and there were no investigations by year's end.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices; however, security forces sometimes beat or torture prisoners and detainees as punishment and to extract confessions. There were unconfirmed reports in the African immigrant community that police and soldiers occasionally beat and raped noncitizen Africans during operations to round up and deport illegal immigrants (see Section 2.d.).

In June in Port Gentil, police shot at demonstrators and used tear gas to disperse a protest forcibly (see Sections 1.a. and 2.b.); there were reports of injuries and unconfirmed reports of three deaths.

In December police injured three strikers in clashes at the Libreville city hall (see Section 6.a.).

During the year, a police officer was dismissed from the police force for raping a woman from Cameroon in custody. There was no further action taken against the officer by year's end, nor is any likely to be taken.

Concerned organizations reported that government officials employed trafficked foreign children as domestic workers and also alleged that government officials might be involved in facilitating trafficking in children (see Section 6.f.).

There were occasional incidents of violence in which practitioners of some traditional indigenous religions inflicted bodily harm on other persons (see Section 5). However, the details of these incidents were uncertain. The Ministry of the Interior maintained that violence and bodily harm to others in the practice of a traditional religion is a criminal offense and is prosecuted vigorously. Media reports suggested that this was true; however, little information about such prosecutions or their results was available.

Conditions in most prisons are harsh and life threatening. Sanitation and ventilation are poor, and medical care is almost nonexistent. Prisons provide inadequate food for inmates. There were no known visits by human

rights monitors to prisons during the year, although the Government was not known to have impeded such visits in past years. Women are held separately from men, juveniles are held separately from adults, and pretrial detainees are held separately from convicted prisoners.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention; however, the Government does not observe these prohibitions. The law provides for up to 48 hours of initial preventive detention, during which period police must charge a detainee before a judge. However, in practice police rarely respected this provision. Charges often were not filed expeditiously, and persons often were detained arbitrarily for long periods. Bail may be set if there is to be a further investigation. Pretrial detainees have the right to free access to their attorneys, and this right is respected in practice. Detainees have the right to an expeditious trial, as defined by the law. Pretrial detention is limited to 6 months for a misdemeanor and to 1 year for a felony charge. These periods may be extended for 6 months by the examining magistrate. Prolonged pretrial detention is common. The Attorney General's Office estimated that roughly 40 percent of persons in custody are pretrial detainees.

Members of the security forces frequently detained individuals at roadblocks. Although sometimes designed to locate illegal immigrants or criminals, the security forces generally used such operations to extort money.

The law prohibits forced exile, and the Government does not use it.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, while the judiciary is generally independent in principle, it remains subject to government influence.

The judicial system includes the regular courts, a military tribunal, and a civilian State Security Court. The regular court system includes trial courts, appellate courts, and the Supreme Court. The Constitutional Court is a separate body charged with examining constitutional questions, including the certification of elections. In some areas, minor disputes may be taken to a local chief, but the State does not recognize such decisions. The State Security Court, last convened in 1990, is constituted by the Government as required to consider matters of state security.

There were systemic resource and personnel shortages in the judiciary, which often contributed to prolonged pretrial detention (see Section 1.d.). Court clerks went on strike twice during the year to protest poor working conditions and low salaries; civil court actions largely were brought to a halt due to the strikes (see Section 6.a.).

The Constitution provides for the right to a public trial and the right to legal counsel. These rights generally are respected in criminal cases. Nevertheless, procedural safeguards are lacking, particularly in state security trials, where a judge may deliver an immediate verdict of guilty at the initial hearing if sufficient evidence is presented by the State.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such actions; however, the Government does not respect these prohibitions in practice. As part of criminal investigations, police may request search warrants from judges, which they obtain easily, sometimes after the fact. The Government has used them in the past to gain access to the homes of opposition figures and their families.

Police and security forces conducted warrantless searches (sweeps) for illegal immigrants and criminals (see Section 1.c.). The sweeps consisted of soldiers stopping and searching vehicles at roadblocks, as well as house-to-house searches conducted by soldiers and police in impoverished neighborhoods. The police conducted the same activity informally on a regular basis and frequently stopped vehicles to extort bribes.

Government authorities also routinely monitored private telephone conversations, personal mail, and the movements of citizens.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, although citizens generally continued to speak freely and criticize the Government, the Government continued to restrict press freedom. Legislators in the National Assembly openly criticize government policies, ministers, and other officials.

The only daily newspaper published was the state-affiliated L'Union. Approximately 10 privately owned weekly or monthly publications in newspaper format, which represent independent views and those of various political parties, appeared during the year; however, most appeared irregularly due to financial constraints and, in one instance, to government suspension of its publication license. All newspapers—including the state-affiliated L'Union—actively criticized the Government and political leaders of all parties. Most also criticized the President.

Journalists are subject to the Communications Code, a law that specifies their rights and responsibilities. Libel can be either a criminal offense or a civil matter. The law authorizes the State to initiate criminal libel prosecution against persons for libeling elected government officials; it also authorizes the State to criminalize civil libel suits. In previous years the Government used prosecutions for civil and criminal libel against journalists to restrict freedom of expression, especially criticism of the Government.

In June the National Assembly and Senate passed a new Communications Code proposed by the National Communications Council (CNC), a government agency subordinate to the Communications Ministry, that could further restrict press freedom by expanding the scope of criminal libel laws in the name of protecting "dignity of the person." It stipulates that penalties for libel and other offenses include a 1 to 3-month publishing suspension for a first offense and a 3 to 6-month suspension for repeat offenses. Editors and authors of libelous articles can be jailed for 2 to 6 months and fined \$700 to \$7,000 (500,000 to 5 million CFA francs). By year's end, the President had not signed the new Code into law.

In May the Council of Ministers issued a decree criticizing the press for its "irresponsible behavior" and outlining the legal penalties for crimes such as defamation. The press responded publicly by characterizing the Government's decree as a "threat" and a "grave attack on the liberty of the press and on democracy."

In February the CNC suspended the publication license of La Griffie, a Libreville-based satirical weekly newspaper, for the third time in 3 years. The CNC also prohibited the paper's publisher, Raphael Ntoutoume Nkoghe, and editor in chief, Michel Ongoundou Loundah, from practicing journalism in the country. The CNC cited the periodical's lack of respect for citizens' privacy and maintained that the newspaper's systematic "attacks" on the integrity of President Bongo and his family were "unconstitutional." The newspaper filed an appeal in the Constitutional Court against the suspension and lost. At year's end, the paper still was suspended. The Ministry of Communications previously suspended the newspaper's license in 1998 and in 1999 for violating criminal libel regulations.

In November Germain Ngoyo Moussavou, the editor in chief of L'Union newspaper, was fired after he published editorials criticizing the Minister of Interior's handling of preparations for the December legislative elections (see Section 3).

Dorothee Ngouoni, an editor at La Griffie, who left the country in July 1999 after she was convicted of defamation, remained abroad.

The Government owns and operates two radio stations, which broadcast to all areas of the country. Much of their news coverage concerns the activities of government officials; however, their editorials are sometimes critical of specific government policies and even of specific government ministers. The CNC issues and, in the past, at times suspended the broadcasting licenses of private radio and television stations. Financial considerations and election preparations resulted in fluctuations in the number of radio stations operating. At year's end, approximately a dozen privately owned radio stations operated in the country; most were apolitical. The Government owns and operates two television stations, RTG-1 and RTG-2. There are three privately owned television stations; a fourth ceased broadcasting during the year due to financial difficulties.

In November employees at the state-owned television station RTG-1 went on strike, which forced the station to stop broadcasting for 2 days; however, they returned to work voluntarily (see Section 6.a.).

The Government did not interfere with domestic reception of broadcasts of international radio stations, including the Voice of America. Radio France International broadcasts locally. Although the British Broadcasting Corporation considered broadcasting in the country in 2000, it decided not to begin broadcasting for financial reasons. Foreign newspapers and magazines were available widely.

The Government does not restrict access to or use of the Internet. At year's end, there were three Internet service providers in the country, one state-owned and the others privately owned. In urban areas, there were public facilities that provided relatively affordable access to the Internet.

The Government does not restrict academic freedom, including research.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly and freedom of association, and the Government generally respects these rights in practice. The law requires that groups obtain permits for public gatherings in advance, and the Government usually granted them.

In June between 200 and 300 protestors from the "Collective of Unemployed of Port Gentil" set up a barricade on the main road between the center of the country's second largest city, Port Gentil, and the city's oil export facility to protest unemployment and the large number of noncitizens hired by local businesses. After permitting the road to be blocked for approximately 48 hours, police ordered the protestors to disperse. When they refused, police shot at the protestors and used tear gas to disperse them forcibly. The protestors fled but started to riot, burning and looting shops and residences in Port Gentil. Following 24 hours of rioting, gendarmerie and army troops restored calm in the city. Although official accounts indicate that there were no deaths associated with the riots, unconfirmed reports suggested that up to three persons were killed.

c. Freedom of Religion

The Constitution provides for religious freedom, and the Government generally respects this right in practice. There is no state religion, and authorities do not engage in religious persecution. A 1983 decree banning Jehovah's Witnesses, which the Government promulgated on the grounds that Jehovah's Witnesses allegedly do not protect individuals who might dissent from the group's views adequately, remained in effect throughout the year; however, the Government did not enforce the ban.

Some Protestants alleged that the government television station accorded free transmission time to the Catholic Church but not to minority religious groups. Others alleged that the armed forces favor Roman Catholics and Muslims in hiring and promotions. In previous years, some Protestant pastors alleged that local officials discriminate against them by making it difficult to obtain building permits to construct churches.

The Ministry of the Interior maintains an official registry of some religious groups; however, it does not register traditional religious groups. The Government does not require religious groups to register but recommends that they do so in order to assemble with full constitutional protection. No financial or tax benefit is conferred by registration. The Government has refused to register approximately 10 religious groups, including Jehovah's Witnesses. In practice the Government allows Jehovah's Witnesses to meet and practice their religion. In addition the Government has made uncorroborated claims that it permitted Jehovah's Witnesses to proselytize.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights; however, the Government frequently restricts them in practice. There are no legally mandated restrictions on internal movement. Police and gendarmes continued to stop travelers frequently to check identity, residence, or registration documents, and members of the security forces regularly harassed expatriate Africans working legally as merchants, service sector employees, and manual laborers (see Section 1.f.). They extorted bribes and demanded services with the threat of confiscation of residency documents or imprisonment. Residency permits cost up to \$140 (100,000 CFA francs), and first time applicants also must provide the cost of a one-way air ticket to their country of origin. In theory, but usually not in practice, the Government refunds the cost of the air ticket when the individual departs the country permanently.

The government agency that controls immigration intermittently enforced an internal regulation requiring married women to have their husbands' permission to travel abroad. An exit visa is not required for citizens to travel abroad; however, noncitizens resident in the country must obtain a visa in order to leave and return. Some leaders and members of opposition political parties allege that they encounter unreasonable delays in obtaining passports; some planning to attend political conventions or other events did not receive their passports until after the events were over.

Police and security forces conducted warrantless searches (sweeps) for illegal immigrants and criminals (see Section 1.f.). There were unconfirmed reports that police occasionally beat and raped noncitizen Africans during operations to assemble and deport illegal immigrants.

Dozens of victims of child trafficking were repatriated with assistance from nongovernmental organizations (NGO's) and the embassies of their countries of origin (see Section 6.f.).

The law provides for the granting of refugee and asylum status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government strictly controls the process of refugee adjudication. The Government generally cooperates with the office of the U.N. High Commissioner for Refugees (UNHCR). The Government provides first asylum. At year's end, approximately 8,000 refugees remained in the country. During the year, some refugees from the Republic of Congo voluntarily repatriated themselves. For example, on August 2, in collaboration with the Republic of the Congo, 64 refugees were repatriated voluntarily by airplane. In September representatives of the Government, of the Republic of the Congo, and the UNHCR signed a tripartite repatriation agreement providing for the return of Congolese refugees from the country; however, assisted repatriation under the agreement did not begin by year's end.

There were no reports of the forced returned of persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully; however, mismanagement and serious irregularities in both the 1998 presidential elections and the December legislative elections seriously limited this right in practice. A single party, the PDG, has remained in power since its creation by President Bongo in 1968, and political choice has remained limited in practice despite the legalization of opposition parties in 1990.

The country is dominated by a strong Presidency. The President can veto legislation, dissolve the national legislature, call new elections, and issue decrees while the legislature is not in session that have the force of law. The legislature generally has approved legislation presented to it by the President but on occasion has not done so. The President appoints and can dismiss judges through the Ministry of Justice, to which the judiciary is responsible. The President appoints ministers of government, provincial governors, prefects and subprefects, and the heads of parastatal firms.

President Bongo, who has been President since 1967, was reelected for another 7-year term in a December 1998 election marred by irregularities that generally favored his incumbency, including incomplete and inaccurate electoral lists and the use of false documents to cast multiple votes. Official results showed Bongo winning approximately two-thirds of the votes cast. In a July 1995 constitutional referendum, citizens approved by a 96 percent majority reforms that included most significantly the establishment of an independent National Electoral Commission (NEC). The referendum was carried out under arrangements that assured that all political parties could monitor voting and vote counting. In July 1998, the Government transferred key electoral functions, including the maintenance of voter registration lists, from the NEC to the Interior Ministry. In October 1998, the representatives of three major opposition parties withdrew from the NEC to protest their inability to verify the accuracy of voter registration lists.

National Assembly elections are held every 5 years. In December elections were held for the National Assembly, the lower house of the bicameral legislature; nine opposition parties boycotted the first round of the elections, asserting that procedural and systemic shortcomings made a free and fair election impossible. The elections were marred by numerous irregularities. International observers reported that the elections were marked by organizational flaws and "insufficient and dysfunctional" application of the electoral law. At year's end, the final outcome of the elections had not been decided; runoff elections were pending for several seats.

The ability of citizens to choose their subnational governments remained limited in practice. Among subnational officials, provincial governors, prefects, and subprefects are officers of the central Government responsible to the President. Mayors and municipal councils are elected; however, municipal governments have limited financial autonomy and depend heavily on funding from the central Government.

Local elections for mayors and municipal councils held in 1996 were organized poorly and later were repeated in key districts. In both sets of elections, opposition parties won most of the municipal council seats in the capital, Libreville, where the RNB candidate was elected mayor.

The Senate, the upper house of the bicameral national legislature, was created in 1996. The first elections for Senators were held in 1997. Municipal and regional government officials elect all 91 senators, who serve 6-year terms.

Major opposition parties include the National Lumberjack Assembly-Gabonese People's Assembly (RNB-RPG) and the Gabonese Progressive Party (PGP). The RNB-RPG's political base is in the northern province of

Woleu-Ntem, which is inhabited chiefly by members of the Fang ethnic group, and in Libreville neighborhoods with many Fang residents, although the party attracts some support from other regions and ethnic groups. The PGP enjoys strong support in Port Gentil, the center of the country's petroleum industry, and among the Myene ethnic group. Ideological splits and rivalries have reduced the effectiveness of the PGP.

The percentages of women and minorities in government and politics do not correspond to their percentages of the population; however, there are no restrictions on the participation of women and minorities in politics. At year's end at least 6 members of the newly elected National Assembly, 12 of the 91 senators, and 4 of the 33 government ministers were women. Indigenous Pygmies rarely participate in the political process, and the Government has made only limited efforts to include them (see Section 5).

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government officially allows the existence of independent human rights groups, although few are active. These organizations are active mostly on behalf of women, children, persons with disabilities, and the homeless. Despite a 1999 announcement that it would establish a National Human Rights Commission, the Government had not taken any action to establish one by year's end.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution forbids discrimination based on national origin, race, gender, or opinion; however, the Government does not uniformly enforce these constitutional provisions, and there was considerable discrimination against women, especially in domestic affairs. The Government also has provided a lower level of health care and educational services to children of families of other African nationalities than it provided to citizens.

Women

Domestic violence against women was common and especially was prevalent in rural areas. While medical authorities have not specifically identified rape to be a chronic problem, religious workers and hospital staff reported that evidence of beatings of women was common. Police rarely intervened in such cases, and women virtually never filed complaints with civil authorities. Only limited medical and legal assistance was available.

Female genital mutilation (FGM), which is condemned widely by international health experts as damaging to both physical and psychological health, occurred among the resident population of expatriate Africans. There are no laws against FGM, but according to local women's groups, it was not practiced on Gabonese girls.

The law provides that women have rights to equal access in education, business, and investment. Women own businesses and property, participate in politics, and work throughout the government and the private sector. Women nevertheless continued to face considerable societal and legal discrimination, especially in rural areas.

By law couples must stipulate at the time of marriage whether they intend to adhere to a monogynous or a polygynous relationship; according to one local NGO, polygynous marriages are more common. For monogynous married couples, a common property law provides for the equal distribution of assets after divorce. In a polygynous marriage, a husband is obligated to give all wives the same level of financial support; however, he may marry additional wives without permission from his existing wives. Wives who leave polygynous husbands receive half of their existing support as a one-time payment. In inheritance cases, the husband's family must issue a written authorization before his widow can inherit property. Common law marriage, which is accepted socially and practiced widely, affords a woman no property rights.

A regulation requires that a woman obtain her husband's permission to travel abroad; however, this requirement is not enforced consistently.

Children

The Government has used oil revenue to build schools, pay teachers' salaries, and promote education, even in rural areas. However, with the decline in such revenues in the late 1990's, the upkeep of schools and payment of teachers has suffered. Education is compulsory until age 16 and is generally available through sixth grade. However, there was evidence that fewer than half of secondary-school-age children attended school; secondary school attendance rates for immigrant children appeared likely to be lower, although public schools accepted immigrant children, and the Government encouraged them to attend. Education is free except for

miscellaneous expenses such as books and other school supplies. According to a U.N. agency, 53 percent of women were literate in 1995, compared with 74 percent of men.

The country has a relatively high infant mortality rate, and only approximately 17 percent of children have been vaccinated. Although international donors worked to improve the situation, the Government allocated few resources for vaccines and the logistical support necessary to administer them. Traditional beliefs and practices provided numerous safeguards for children, but children remained the responsibility of the extended family—including aunts, grandmothers, and older siblings. There was little evidence of physical abuse of children, although there were some reports that girls were sexually abused by family members after reaching puberty. Protection for children's rights is not codified in law.

FGM was performed on girls in the resident population of expatriate Africans (see Section 5, Women).

Forced child labor and trafficking in children were problems (see Sections 6.c. and 6.f.).

There was concern about the problems facing the large community of children of African noncitizens. Almost all enjoyed far less access to education and health care than did children of citizens; some were victims of child trafficking and child labor abuses (see Sections 6.d. and 6.f.).

Persons with Disabilities

There are no laws that prohibit discrimination against persons with disabilities or that provide for access to buildings or services; however, there were no reports of official discrimination against persons with disabilities. There was no known societal discrimination against persons with disabilities.

Indigenous People

The Baka (Pygmies) are the earliest known inhabitants of the country. Several thousand Pygmies live in the country, most in large tracts of still-intact rain forest in the northeast. The law grants them the same civil rights as other citizens. Pygmies largely were independent of formal authority, keeping their own traditions, independent communities, and local decision-making structures. Pygmies did not participate in government-instituted programs that integrated many small rural villages into larger ones along major roads. There are no specific government programs or policies to assist or hinder Pygmies.

Pygmies suffered societal discrimination and often lived in extreme poverty. In July and August, a local NGO conducted a study, funded by UNICEF, of the Bukoya Pygmy population in the northeastern part of the country. NGO workers visited more than a dozen villages and found that most Pygmies there lived in conditions tantamount to slavery, working on plantations for "masters" for one plate of rice and a few cents per day. The NGO described the children born to Pygmy families in these situations as the "property" of the master. A typical family lives on 13 cents per day. Pygmies who complained about their situations often were beaten. The Pygmies did not have adequate access to public services.

National/Racial/Ethnic Minorities

The country's citizen population includes several ethnic groups, each of which generally speaks a distinct primary language and is concentrated in an identifiable area of the country. There is no majority ethnic group; the largest ethnic group is the Fang, which makes up more than 30 percent of the population and is concentrated in the north. Other major ethnic groups include the Myene, the Bapunu, the Bateke, the Obamba, and the Nzebi. Urban neighborhoods are not segregated ethnically; interethnic marriage was common.

There was some correlation between ethnic and political divisions. Support for the ruling party is stronger among persons from southern ethnic groups, including President Bongo's Bateke ethnic group, than among the northern Fang group or the coastal Myene group (see Section 3).

The Government generally fostered ethnic balance in the public sector, throughout which persons from all major ethnic groups continued to occupy prominent positions. However, there was evidence that members of the President's Bateke ethnic group and other ethnic southerners held a disproportionately large number of key positions throughout the military and security forces (see Section 3).

Section 6 Worker Rights

a. The Right of Association

The Constitution places no restrictions on the right of association and recognizes the right of citizens to form trade and labor unions. Virtually the entire private sector workforce is unionized. Unions must register with the Government in order to be recognized officially. Public sector employees may unionize although their right to strike is limited if it could jeopardize public safety. There are many independent unions, including powerful unions of teachers, civil servants, transport workers, and communications workers. Some independent unions have associated to form the Gabonese Confederation of Free Unions (CGSL). The Gabonese Labor Confederation (COSYGA) continued to be affiliated with the Government but has criticized publicly some government policies it perceived as contrary to labor interests. The Labor Code provides extensive protection of worker rights.

Strikes are legal if they are held after an 8-day notice advising that outside arbitration has failed. The Labor Code prohibits direct government action against individual strikers who abide by the arbitration and notification provisions. It also provides that the Government cannot press charges against a group for criminal activities committed by individuals.

In March court magistrates went on strike to protest poor working conditions and benefits; however, the strike was postponed when President Bongo indicated that he might meet some of their demands. When nothing happened, the magistrates went on strike again in May. In November the strike ended when the President met with the strikers and agreed to meet some of their demands.

In April court clerks went on strike to protest poor working conditions and low salaries. In October the strike ended when President Bongo met some of their demands by offering them computers and typewriters and agreeing to discuss salary restructuring.

In June and September, employees of the Office des Postes et Telecommunications (OPT), the state-owned post and telecommunications company, went on strike for higher pay and to protest plans to split and partially privatize the company.

In November employees at the state-owned television station RTG-1 went on strike to protest low salaries and poor working conditions (see Section 2.a.). The employees resumed work voluntarily; however, they have discussed the possibility of renewed strike activity in the future.

In November and December, employees of the Libreville city hall went on strike to protest low salaries and poor working conditions. On December 12, three strikers were injured in clashes with police officers called in when strikers locked the gates of city hall and set fires in the parking lot.

In June in Port Gentil, police shot at demonstrators and used tear gas to disperse forcibly a protest by the Collective of Unemployed of Port Gentil against unemployment and a large number of noncitizens hired by local businesses (see Sections 1.a. and 2.b.).

Unions and confederations are free to affiliate with international labor bodies and participate in their activities. COSYGA is affiliated with the Organization of African Trade Union Unity, while the CGSL is affiliated with the International Confederation of Free Trade Unions. Both COSYGA and CGSL have ties with numerous other international labor organizations.

b. The Right to Organize and Bargain Collectively

The Labor Code provides for collective bargaining by industry, not by firm; collectively bargained agreements set wages for whole industries. Labor and management meet to negotiate differences, and the Ministry of Labor provides an observer. This observer does not take an active part in negotiations over pay scales, working conditions, or benefits. Agreements also apply to nonunion workers. While no laws specifically prohibit antiunion discrimination, the court may require employers who are found guilty by civil courts of having engaged in such discrimination to compensate employees.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor; however, there were reports that such practices occurred. Some Pygmies reportedly lived in conditions tantamount to slavery (see Section 5).

The Government prohibits forced and bonded labor by children; however, forced child labor is a problem. Children--in particular immigrant children--are forced to work as domestic servants or in the informal commercial sector (see Sections 6.d. and 6.f.).

The Government cooperated with UNICEF and the International Labor Organization (ILO) to combat forced child labor and child trafficking (see Section 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment

Children below the age of 16 may not work without the express consent of the Ministries of Labor, Education, and Public Health. These ministries rigorously enforced this law with respect to citizen children, and there were few citizens under the age of 18 working in the modern wage sector. A significant number of foreign children worked in marketplaces or performed domestic duties. These children generally did not go to school, received only limited medical attention, and often were the victims of exploitation by employers or foster families. Laws forbidding child labor theoretically extend protection to foreign children as well, but abuses often were not reported. An ILO study during the year estimated that the number of economically active children between the ages of 10 years and 14 years was 19,000 to 20,000, but the actual number was difficult to quantify since most children worked in the informal sector.

In April the Government ratified ILO Convention 182 on the worst forms of child labor. The Legal Code stipulates fines and prison sentences for violations of the minimum age for working. The Ministry of Justice is responsible for implementing and enforcing child labor laws and regulations. Inspectors from the Ministry of Labor are responsible for receiving, investigating, and addressing child labor complaints; however, the inspection force is inadequate, complaints are not investigated routinely, and violations are not addressed adequately.

The Government prohibits forced and bonded child labor; however forced child labor is a problem (see Section 6.f.). Concerned organizations reported that government officials employed trafficked foreign children as domestic workers and also alleged that government officials might be involved in facilitating child trafficking.

e. Acceptable Conditions of Work

The Labor Code governs working conditions and benefits for all sectors and provides a broad range of protection to workers. Traditionally representatives of labor, management, and the Government met annually to examine economic and labor conditions and to recommend a minimum wage rate within government guidelines to the President, who then issued an annual decree. This procedure has not been followed since 1994, in part because the Government was pursuing a policy of wage austerity recommended by international financial institutions. The monthly minimum wage was approximately \$61 (44,000 CFA francs); government workers received an additional monthly allowance of \$27 (20,000 CFA francs). Government workers also receive transportation, housing, and family benefits; however, the law does not mandate housing or family benefits for private sector workers. Given the high cost of living, the minimum wage does not provide a decent standard of living for a worker and family.

The code stipulates a 40-hour workweek with a minimum rest period of 48 consecutive hours. Employers must compensate workers for overtime work. All companies in the modern wage sector pay competitive wages and grant generous fringe benefits required by law, including maternity leave and 6 weeks of annual paid vacation.

The Ministry of Health established occupational health and safety standards, but it did not enforce or regulate them effectively. The application of labor standards varied greatly from company to company and between industries. The Government reportedly does not enforce Labor Code provisions in sectors where the bulk of the labor force is foreign. Foreign workers, both documented and undocumented, may be obliged to work under substandard conditions; may be dismissed without notice or recourse; or may be mistreated physically, especially in the case of illegal aliens. Employers frequently require longer hours of work from noncitizen Africans and pay them less, often hiring on a short-term, casual basis in order to avoid paying taxes, social security contributions, and other benefits. In the formal sector, workers may remove themselves from dangerous work situations without fear of retribution.

f. Trafficking in Persons

No law specifically prohibits trafficking in persons. Trafficking in children is a serious problem, and the Government does not actively investigate cases of trafficking and has not prosecuted any cases against traffickers. There were reports that some trafficked women and children were sexually abused.

Children (especially girls) were trafficked into the country, primarily from Benin and Togo, for use as domestic servants or in the informal commercial sector. Some of the children suffered sexual abuse. Nigerian children were trafficked to the country primarily to work in the informal commercial sector.

In previous years, there were reports that children were trafficked to the country to work on plantations; however, these reports were inaccurate. There is very little commercial agricultural activity, and observers believe that all children trafficked to the country are working either as domestic servants or in the informal sector.

In April a Nigerian-registered ship, the MV Etireno, arrived at the port of Owendo in Libreville and was turned away by government authorities who suspected that illegal immigrants were aboard. The international press reported that the ship was carrying up to 250 children trafficked from West Africa to work as laborers and domestic servants in the country. The ship returned to Cotonou, Benin, after approximately 2 weeks at sea. International organizations and their embassies assisted the 23 children aboard (from Benin, Togo, and Mali) when they arrived in Cotonou. In September a ship carrying 130 West African child trafficking victims from Nigeria to the country capsized off the coast of Cameroon. The children were assisted by Cameroon government officials and repatriated to their home countries.

Concerned organizations reported that government officials employed trafficked foreign children as domestic workers, and also alleged that government officials might be involved in facilitating child trafficking.

In August the Council of Ministers proposed a law that would prohibit the trafficking and exploitation of children. At year's end, the National Assembly was considering the proposed law. Traffickers may be prosecuted under laws prohibiting the exploitation, abandonment, and mistreatment of children. The proposed law stipulates that anyone who organizes, facilitates, transports, harbors, sells, or illegally employs trafficked or exploited children, or otherwise benefits from the trafficking or exploitation of children, will face imprisonment and fines of \$14,000 to \$28,000 (10 million to 20 million CFA francs). Foreigners caught participating in these acts could be expelled from the country under the proposed law. According to the proposed law, all assets used in the commission of these crimes, or acquired as a result of them, will become property of the Government, and child traffickers will be responsible for paying for the repatriation of their victims. No one was prosecuted by year's end. Critics maintained that government efforts were ineffective and hampered by a lack of resources.

An interministerial committee comprised of representatives from the Labor, Justice, Foreign Affairs, and Family Ministries is involved in antitrafficking efforts. The Government did not support programs aimed at the prevention of trafficking, and has neither a policy nor resources to provide assistance to trafficking victims. Trafficking victims were not detained or deported. The Government has an informal cooperative relationship with NGO's providing services to victims. The Government participated in a January conference on child trafficking. In 2000 the Government cohosted a conference on child trafficking and exploitative labor in Central and West Africa as a cooperative effort between the Government, UNICEF, and the ILO.